



DEPARTMENT OF THE NAVY
NAVAL AIR WARFARE CENTER TRAINING SYSTEMS DIVISION
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ORLANDO, FLORIDA 32826-3275

IN REPLY REFER TO:
JSA 13 23153

**JUSTIFICATION AND APPROVAL
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION**

1. Contracting Activity.

Naval Air Warfare Center Training Systems Division (NAWC-TSD) - Orlando, FL

2. Description of the Action Being Approved.

This justification and approval authorizes and approves, on a sole source basis, a new indefinite quantity contract (IQC) to Tyonek Services Corporation for Depot Level Maintenance (DLM) services. A 12-month ordering period is anticipated, 04/01/13 through 03/31/14. Orders under this contract will be permitted to run up to six months after the ordering period expires. The total period of performance will not exceed 18 months, 04/01/13 - 09/30/14. Tyonek is currently fulfilling this requirement through the existing contract, which has a period of performance through 03/31/13. The bridge contract's ordering period provides sufficient time for the Fleet Readiness Center Southeast (FRCSE) to procure follow-on Depot Level Maintenance (DLM) support under the Air Force's Contract Field Team (CFT) Multiple Award Contract (MAC). The additional time and support provided under the extension will facilitate the continued availability of contractor personnel to augment the Government workforce for DLM at the FRCSE and will allow sufficient time to facilitate a smooth transition of DLM to the Air Force contract.

3. Description of Supplies/Services.

The primary mission of the FRCSE is to provide DLM services for aircraft, aircraft engines and associated components/materials, involving the rework of existing aviation end items, systems and components and the manufacture of items and component parts that are otherwise not available. Contractor personnel augment the Government workforce to assist in the accomplishment of the DLM services. The work is performed at FRCSE NAS Jacksonville, FL; NS Mayport, FL; Cecil Commerce Center (commercial facility) in Jacksonville, FL; FRCSE Jacksonville Detachment Oceana, VA; and F/A-18 In-Service Repair (ISR) facility at MCAS Beaufort, SC.

See Appendix A for Estimated Dollar Value

4. Statutory Authority Permitting Other Than Full and Open Competition.

10 U.S.C. 2304(c)(1), Only one responsible source and no other supplies or services will satisfy agency requirements.

5. Rationale Justifying Use of Cited Statutory Authority.

Tyonek Services Corporation has successfully performed under the current contract and has the necessary skill sets in place to continue performance at all support locations. Request for proposals (RFP) N61340-11-R-0038 was issued on 09/30/11 as a follow-on competitive 8(a) CPFF action to procure DLM. That requirement's estimated cost was [REDACTED] over a five period. The anticipated award date was October 2012. The DLM requirements, as stated in the RFP, were anticipated to involve 374 contractor personnel per year to complete. On 09/25/12 the procurement had proceeded to the point of briefing the Source Selection Advisory Council to close discussions, when FRCSE indicated that significant requirements changes had occurred. On 10/29/12 FRCSE provided formal notification of newly mandated targets for Contractor Support Services (CSS) work years, which would result in the capping of FRCSE's CSS levels. Accordingly, the DLM RFP was cancelled via amendment 0006, dated 11/21/12. The DLM follow-on requirement, as well as a similarly affected FRCSE requirement for Production Support Services (PSS) support, will be re-procured through the Air Force's Contract Field Team (CFT) Multiple Award Contract (MAC).

Contractor personnel are required to augment the existing Government workforce to satisfy the current DLM requirements and allow for a transition period to reach the revised CSS level of support. A new IQC will ensure uninterrupted execution of critical DLM services. Award of this new action to any other source at this time would result in unacceptable delays and substantial duplication of cost to the Government this is not expected to be recovered through competition. If DLM coverage does not continue during the transition period, FRCSE will experience production line stoppages and backlogs that would negatively impact the DLM mission of maintaining EA-6B, F/A-18, H-60, P-3, E-2, C-2 and S-3 aircraft.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable.

The intent to issue an extension to the bridge contract to continue DLM with Tyonek Services Corporation was synopsized in NECO on 01/17/13. No responses have been received to date. Any responses received as a result of this synopsis will be reviewed and evaluated by the Procuring Contracting Officer (PCO) for potential competitive opportunities prior to contract award.

7. Determination of Fair and Reasonable Cost.

In accordance with FAR 15.402(a), the PCO is responsible for establishing a fair and reasonable agreed upon price. FRCSE provided a detailed Independent Government Cost Estimate (IGCE), to include both estimated labor category mix and anticipated labor hours. Pursuant to FAR 15.403, the contractor will be required to submit a complete and detailed pricing proposal, including the submission of Certified Cost or Pricing Data sufficient to support the accuracy and reliability of its estimate. Furthermore, the PCO will seek field pricing support, to include the use of Forward Pricing Rate Agreements (FPRAs) and Forward Pricing Rate Recommendations (FPRRs), from the Defense Contract Management Agency (DCMA), the Defense Contract Audit Agency (DCAA), and/or program subject matter experts, in support of the development of the Government's negotiation objective. The PCO will take into consideration Department of Labor Wage Determinations for each location.

8. Actions to Remove Barriers to Future Competition.

Contract N65886-07-D-0001 was competitively awarded under the 8(a) Program to Tyonek in February 2007. The ceiling value of that contract was exhausted earlier than expected due to an escalated burn rate of hours and continuously changing requirements and evolving acquisition strategies. A subsequent bridge contract was issued by NAWCTSD on 03/02/12 to ensure continuity of services while a competitive source selection was completed. The follow-on competitive 8(a) solicitation and award were on track to eliminate the need for any additional bridge actions. However, significant requirement changes necessitated the cancellation of the competitive solicitation. To the best of NAWCTSD's knowledge, the follow-on re-procurement to address the changed requirements (anticipated for award in FY14) will be awarded pursuant to fair opportunity under the Air Force's CFT MAC.

Appendix A

Estimated Dollar Value in Thousands

	FY13	FY14	FY15	FY16	FY17	FY18	FY19	Total
			0	0	0	0	0	\$ 41700
Total			0	0	0	0	0	\$ 41700